

**MINUTES OF THE REGULAR MEETING OF THE  
SAN MARCOS PLANNING AND ZONING COMMISSION  
CITY COUNCIL CHAMBERS  
July 22, 2008**

**1. Present**

**Commissioners:**

Fred A. Terry, Chair  
Sherwood Bishop, Vice Chair  
Bill De Soto (*absent*)  
Steve Cline  
Ryan Thomason  
Bill Taylor  
Curtis Seebeck (*absent*)  
Ruben Becerra (*arrived at 6:07*)  
Randy Bryan

**City Staff:**

Cecil Pennington, Interim Director of Planning  
Bill Couch, Development Projects Coordinator  
Chance Sparks, Chief Planner  
Phil Steed, Planner  
Francis Serna, Recording Secretary

**Others Present:** Richard McDaniel, Joanne Smith, Ocie Vest, Dave Denison, Ed Theriot, Greg Gibson, Ariel Chavela, Larry Rasco, and Kyle Maysel.

**2. Call to Order and Announce a Quorum is Present.**

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Terry at 6:00 p.m. on Tuesday, July 22 2008 in the Council Chambers of the City of San Marcos City Hall, 630 E. Hopkins, San Marcos, Texas 78666.

**3. Chairperson's Opening Remarks.**

Chair Terry welcomed the audience and the television viewers.

**4. Executive Session**

There were no discussions.

**5. Citizen Comment Period**

There were no citizen comments.

**6. PC-08-13(02). Consider a request by Pro-Tech Engineering Group, Inc., on behalf of The Master's School, for approval of a preliminary plat of The Master's School located at 1664 Centerpoint Road.**

Phil Steed stated that the site will be used for a private school. The Engineering Department has approved the TIA and the Watershed Protection Plan Phase I has been accepted as complete. He further explained that the developer is dedicating a 60 foot parcel of land as ROW that will provide the project with access to Centerpoint Road. Mr. Steed explained that the strip of land varying from 42.5 feet to 43 feet is also being dedicated as future ROW along the southwest property line. The applicant is requesting a waiver of some infrastructure construction in light of dedication of additional ROW. He added that the City Council will consider the waiver at their August 5, 2008 meeting. Staff recommended approval of the preliminary plat.

**MOTION:** Upon a motion made by Commissioner Thomason and a second by Commissioner Taylor, the Commission voted seven (7) for and none (0) opposed, to approve the request. The motion carried unanimously.

**7. PDD-07-02. Hold a public hearing and discuss a request by David Denison representing SLF II, McCarty Lane, LLP, for a Planned Development Overlay Zoning District (PDD) for 259.52 acres, zoned Future Development (FD) and requesting General Commercial (GC, Community Commercial (CC) and Public zoning (P), located at the intersection of McCarty Lane and IH 35 South.**

Mr. Couch gave a brief overview of the staff report. He introduced the applicant, David Denison and Ocie Vest, property owner and stated they would be available for comments. Mr. Couch pointed out that the request was posted for a public hearing and discussion and that no action would be taken at the meeting.

Chair Terry opened the public hearing. Ocie Vest, Partner of the Stratford Company, 5949 Cherry Lane, Dallas Texas and the owners of the property stated that they also own property off of Yarrington Road and pleased to be in San Marcos. Mr. Vest mentioned that Bill Couch and staff have done a great job working with him over the last year. He pointed out that they and staff came to the conclusion that GC works well as the base zoning for the IH-35 property and CC for the area behind Cottonwood Creek. Mr. Vest added that they are not sure what the retail area will be. In addition, they have begun to draft the design standards and landscaping. He mentioned that upon research, a hotel will be appropriate for the area. Mr. Vest concluded with brief overview of the proposal.

Commissioner Bishop pointed out that information submitted becomes permanent public record. He inquired if the submissions were concept drawings or an official document.

Ocie Vest explained that the idea may change and not an actual representation. He informed the Commission that Stratford wants to make sure the zoning is compatible to the area and site plans are suitable.

Commissioner Bishop inquired about Sub area E.

Ocie Vest explained that it was suggested that hike and bike trails be shown on Sub-area E. He added that they have been fine tuning the alignment for the trails and that they anticipate on showing the alignment on the concept plan.

Bill Couch pointed out that staff has cautioned the applicant of bringing plans prior to the concept plan. The applicant has submitted exhibits which include disclaimers because they are not certain what the final project will be. Mr. Couch added that the applicant has very conscientious working with staff and have provided easements, parkland improvements, ROW without questions. In addition, the applicant will address parkland concerns.

Commissioner Bryan stated that the project looks great. He asked if the open space would be dedicated.

Bill Couch explained that they are currently discussing ideas at this time. He pointed out that area is rarely under water and that the HOA will maintain the open space. Mr. Couch added that details should be complete prior to the request being presented before the Commission at a future meeting.

Commissioner Bishop stated that he had concerns regarding the dedication of the hike and bike trails. He stated he preferred to have the parks along the creek include public access.

Bill Couch stated that they met with the applicant and is in the process of working out the details and create a document. Mr. Couch added that they are reviewing aspects of public parking.

Ocie Vest agreed with Mr. Couch.

Commissioner Bishop complimented Mr. Vest on the layout and his relationship in taking into account the Outlet and the Conference Center.

**MOTION:** The Commission voted by consensus to continue the public hearing until the August 12, 2008, Planning and Zoning Commission meeting. The vote carried unanimously.

**8. PDD-08-01. Hold a public hearing and discuss a request by Darren Casey representing Bobcat Investors, LTD., and W.C. Carson of Carson Properties for a Planned Development Overlay Zoning District (PDD) for 1.46 acres zoned General Commercial (GC), located between LBJ Drive and Guadalupe Street and fronting onto Concho Street.**

Cecil Pennington advised the Commission that the proposal is for office, residential and retail. Mr. Pennington gave an overview of the site plan and explained the PDD standards. He pointed out that there are significant issues that warrant discussion which include reduction of impervious cover and parking. Mr. Pennington stated that parking is an issue. The proposal is a good project and would enhance the downtown area. In addition, staff is in support of off site parking agreements or remote parking. He mentioned that a draft document was submitted and have supplied comments. Staff has not received responses from the applicant to address outstanding issues. Mr. Pennington advised the Commission that the item would be scheduled on the next Planning and Zoning Commission meeting on August 12, 2008.

Chair Terry opened the public hearing.

Ed Theriot of Mitchell Planning Group was present representing Baxter Southwest. He introduced Greg Gibson of Baxter Southwest and Ariel Chavela, Architect for the project. Mr. Theriot gave a presentation of the project. He added that modifications to the PDD would include staff comments. Mr. Theriot stated he was available for questions.

Larry Rasco, Vice President of The Downtown Association stated that he found out about the hearing earlier in the day and asked the Commission not to take action on the request. Mr. Rasco pointed out that lack of parking is a major concern. He stated that he felt that reduction in parking would exasperate the existing problems with parking. Mr. Rasco added that they are open for discussion and that at this time are not willing to consent for the request. He pointed out that the Downtown Master Plan and University Master Plan are currently in process. It was determined that the next Downtown Association meeting is on July 29, 2008 in which Mr. Rasco would provide comments to staff prior to the next Planning and Zoning Commission meeting on August 12, 2008.

Kyle Maysel, Chair of the Downtown Parking Advisory Board and Secretary of the Downtown Association also mentioned that he found out about the hearing earlier in the day. He stated that he would like the project to proceed, although the reduction in parking is an issue. Mr. Maysel pointed out that on street parking would be taken by students. Therefore, Mr. Maysel suggested that the landscaping be reduced to allow for additional on-site parking spaces. He also mentioned that adjacent businesses would be penalized with the overflow of parking. Mr. Maysel stated that the Downtown Parking Advisory Board can call a meeting to discuss parking issues and will submit comments to staff prior to the August 12, 2008 Planning and Zoning Commission meeting.

Cecil Pennington advised the Commission that a Downtown Master Plan presentation will be presented to the City Council and the Planning and Zoning Commission on Tuesday, August 5, 2008 at 6:00 p.m.

Commissioner Bishop mentioned that it is going to be difficult to develop property downtown and understands the challenges that the developer and architect would encounter. He stated that the submittal is an attractive proposal. Commissioner Bishop added that his concerns relate to the eight percent increase of impervious cover and felt it important to include a commitment in an agreement that states the bio-filters will accomplish what they are suppose to accomplish. In addition parking is also a concern. He pointed out that the parking permits fees for TX State will increase and will probably cause more parking problems for downtown. Commissioner Bishop added that a correction regarding parking requirements for a restaurant in commercial zoning district. He said the public areas are attractive. He pointed out that a Joint Workshop with the City Council and Planning & Zoning Commission meeting to discuss the Downtown Master Plan which will include parking issues. He mentioned that off site parking agreements could be an option.

Commissioner Becerra inquired on the notification process due to citizens stating they did not get notice of the hearing.

Cecil Pennington explained that notification is sent to all property owners 200' from the subject property. He added that the City Code does not require that organizations be notified.

Commissioner Becerra commented that he supports the project and felt the project would be a benefit for all. He stated he liked staff working with the applicant to support the project. Commissioner Becerra asked the applicant what would the on site reduction be.

Ariel Chavela, Associate Principal with Alamo Architects of San Antonio, Texas, estimated the reduction would be from 37,000 sq. ft. to less than 24,000 sq. ft. He stated that reduction would start from the top of the building.

Commissioner Thomason commented that removing square footage from the top of the building which would consist of office space would not solve the parking issue problem. He felt that it would hurt the project and possible tenants that could have office space downtown.

Commissioner Becerra stated that he hopes that the parking issues can be addressed. He commented that he supports the project.

Commissioner Cline suggested a one story parking garage.

Ariel Chavela stated that they have explored the idea and that a parking garage would not be practical.

**MOTION:** The Commission voted by consensus to continue the public hearing until the August 12, 2008, Planning and Zoning Commission meeting. The vote carried unanimously.

## **9. Planning Issues:**

### **a. 2008 CUP Quarterly Report**

Chance Sparks gave an overview of the 2<sup>nd</sup> Quarter CUP Quarterly Report included in the Commissioner's Agenda Packet. He pointed out that the Commission processed 12 CUP's during the 2<sup>nd</sup> Quarter of 2008. The CUP processing time averaged 19.6 days and 7.4 days improvement over 2007. Mr. Sparks informed the Commission that 8 CUP's will be due for renewal and possible extensions during 2008.

## **10. Planning Director's Report**

Cecil Pennington asked the Commission to advise Francis Serna, if they plan to attend the Texas Chapter APA Conference in Galveston to be held on October 1-4, 2008.

Cecil Pennington advised the Commission he would report general information regarding the San Marcos River Ranch that at the next Planning and Zoning Commission meeting on August 12, 2008. The subdivision is located in the Martindale area.

### **Commissioners' Report**

There were no reports.

## **11. Consider approval of the minutes from the Regular Meeting of July 8, 2008.**

**MOTION:** Upon a motion made by Commissioner Becerra and a second by Commissioner Bishop, the Commission voted six (6) for, none (0) opposed and one (1) abstained, to approve the Regular Meeting Minutes of July 8, 2008 with corrections. The motion carried.

## **12. Questions and answers from the Press and Public.**

There were no questions.


### **13. Adjournment**

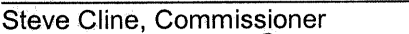
**MOTION:** Upon a motion made by Commissioner Becerra and second by Commissioner Thomason, the Commission voted seven (7) for and none (0) opposed, to adjourn the regular meeting of the Planning and Zoning Commission at 7:34 p.m. on Tuesday, July 22, 2008. The motion carried unanimously.


  
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Fred A. Terry, Chair


  
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Sherwood Bishop, Vice-Chair

  
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Ryan Thomason, Commissioner


  
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Ruben Becerra, Commissioner

  
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Steve Cline, Commissioner

  
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Randy Bryan, Commissioner

  
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Bill Taylor, Commissioner

ATTEST:

  
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Francis Serna, Recording Secretary